

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
MEI KUM CHU, SAU KING CHUNG, and  
QUN XIANG LING, individually and on behalf  
of all others similarly situated,

Plaintiffs,

-against-

CHINESE-AMERICAN PLANNING COUNCIL  
HOME ATTENDANT PROGRAM, INC.,

Defendant.

ANALISA TORRES, District Judge:

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21 Civ. 2115 (AT)

**ORDER**

Plaintiffs moved for remand and costs on March 18, 2021. ECF No. 7. Defendants opposed the motion. ECF No. 17. The Honorable John Koeltl denied remand and costs in a related case. *See Guzman v. First Chinese Presbyterian Cmty. Affs. Home Attendant Corp.*, 520 F. Supp. 3d 353 (S.D.N.Y. 2021). That decision is currently on appeal before the Second Circuit. *Id.*, *appeal docketed*, Nos. 21-613, 21-633 (2d Cir.).

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). “[T]he decision whether to issue a stay is, therefore, firmly within a district court’s discretion.” *Catskill Mountains Chapter of Trout Unlimited, Inc. v. U.S. E.P.A.*, 630 F. Supp. 2d 295, 304 (S.D.N.Y. 2009) (quotation marks, citations, and alterations omitted). Staying this action, pending the Second Circuit’s decision in *Guzman*, “will best serve the interests of the courts by promoting judicial efficiency” and is appropriate while “awaiting the outcome of proceedings which bear upon the case[.]” *Id.* at 304–05 (quotation marks, citations, and alterations omitted); *see also Sikhs for Justice v. Nath*, 893 F. Supp. 2d 598, 622 (S.D.N.Y. 2012) (“[A] court

may . . . properly exercise its staying power when a higher court is close to settling an important issue of law bearing on the action.”).

Accordingly, for the reasons stated above, the case is STAYED pending resolution of the appeal in *Guzman v. First Chinese Presbyterian Cmty. Affs. Home Attendant Corp.*, Nos. 21-613, 21-633 (2d Cir.). The parties shall file a joint letter within fourteen days of an opinion in the appeal updating the Court of the ramifications for the pending motion for remand in this case.

SO ORDERED.

Dated: December 3, 2021  
New York, New York



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ANALISA TORRES  
United States District Judge